IN RE: PETITION FOR ADMINISTRATIVE \* BEFORE THE ZONING VARIANCE W/S Cameron Mill Road, 820 ft. \* ZONING COMMISSIONER (+/-) SW of Bently & Kaufman Rds. \* OF BALTIMORE COUNTY 20108 Cameron Mill Road 7th Election District \* Case No. 93-407-A 3rd Councilmanic District Timothy J. Kotchenreuter Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* \* \* \* \* \* \* \* \*

This matter comes before the Zoning Commissioner as an administrative variance filed by Timothy J. Kotchenreuter for that property known as 20108 Cameron Mill Road in the northern section of Baltimore County. The Petitioner herein seeks a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a property line setback of 30 ft., and a street centerline setback of 67.5 ft., in lieu of the required 50 ft. and 75 ft. respectively, for a proposed addition; and to permit the existing building setbacks as close as 39 ft. to bring the property into compliance with the current regulations. All as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of

the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of June, 1993 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a property line setback of 30 ft., and a street centerline setback of 67.5 ft., in lieu of the required 50 ft. and 75 ft. respectively, for a proposed addition, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance to permit the existing building setbacks as close as 39 ft. to bring the property into compliance with the current regulations, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> > LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

Affidavit in support of 93-407-A
Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 20108 Cameron Mill Road Parkton, MD 21120

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Hardship: Cannot increase living space of one bedroom home without impeding on setback lines, since existing setbacks are not in compliance with RC 5 zoning. The property was subdivided and house was built prior to the time that RC 5 zoning was put into effect.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and Mo, 19 93, before me, a Notary Public of the State the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and beifef.

ZONING DESCRIPTION FOR 20108 Cameron Mill Road, Parkton, MD 21120

Election District: 7 Counsilmanic District: 3

Beginning at a point on the west side of Cameron Mill Road which is 20'7" wide at a distance of 1200' south of the centerline of the nearest improved intersecting street Kaufman Road which is 35' wide. As recorded in Deed Liber #4849, Folio #731, containing 16988' or 0.39 acres. THENCE THE FOLLOWING COURSES AND DISTANCES NORTH WESTERLY 126 FT. THEN SOUTHWESTERLY 116.92 FT THEN SouthEASTERLY 150.83 FT. THEN ALONG THE RW LINE OF CAMERON MILL RD NORTHEASTERLY ADISTANCE OF 130.76 FT TO THE POINT OF BEGINNING

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MĎ 21204

(410) 887-4386

June 24, 1993

Mr. Timothy J. Kotchenreuter 20108 Cameron Mill Road Parkton, Maryland 21120

> RE: Petition for Administrative Variance Case No. 93-407-A 20108 Cameron Mill Road

Dear Mr. Kotchenreuter:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Zoning Commissioner

LES:mmn

## Petition for Administrative Variance Petition for Administrative Variance 93-407-A to the Zoning Commissioner of Baltimore County

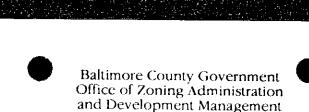
for the property located at 20108 Cameron Mill Rd. Parkton, MD which is presently zoned RC 5 21120

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1404.3.2.3. To permit a property line setback of as close as 30° and a street centerline setback of 67.3° in lieu of the required 50° and 75' setbacks (respectively) for a proposed addition. (And) to permit existing building setbacks of as close as 39' (as shown on the site plan) to bring the property into compliance with the current regulations.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Hardship: Cannot increase living space of one bedroom home without impeding on setback lines, since the existing setbacks are not in compliance with RC 5 zoning. The property was subdivided and the house built prior to the time that RC 5 zoning was put into effect.

Property is to be posted and advertised as prescribed by Zoning Regulations. A private private pay exposes of shows Variance advertising poeting atc. upon filing of this petition, and further agree to and are to

_		loning Commissioner of Baltimore County	
petition be set for a pub	olic hearing , advertised, o	s required by the Loning Regulations of Baltima	re County, in two newspapers of gene
requested and/or four	d to be required it is orde	ed by the Zoning Commissioner of Baltimare C	ounty, this day of , 19
State	Zipcode	Address	Phone No.
Phone No.		Name	
		Name, Address and phone number of legal to be contacted.	owner, contract purchaser or representati
		Parkton, MD 211	State Zipcode
		Address	Phone No.
		20108 Cameron M	ill Rd 410-357-8
State	Zipcode	Signature	
		(Type or Print Name)	d van de skappen. Ander van de skappen van de skap
•		Signature	
Type or Print Name)		Tundy 1 1	Elekanate
Contract Purchaser/Lessee:		Legal Owner(s): Timothy J. Kot	chenreuter
		I/We do sofemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.	
	Phone State requested and/or foun petition be set for a pub	Phone No.  State Zipcode  requested and/or found to be required, it is order	Ilegal owner(s) of the property which is the state and owner(s):  Timothy J. Kot  (Type or Print Name)  Signature  (Type or Print Name)  State Zipcode Signature  20108 Cameron Maddress Parkton, MD 211  City Name, Address and phone number of legal to be contacted.  Phone No.  Name  State Zipcode Address  Parkton, and phone number of legal to be contacted.



111 West Chesapeake Avenue Towson, MD 21204



(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

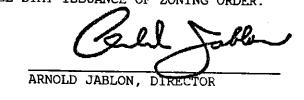
Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.



ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 421
Petitioner: Timothy J. Kotchewreuter
ocation: 20108 CAMERON MILL Rd, Parkton Md 21120
PLEASE FORWARD ADVERTISING BILL TO:
IAME: SAME AS Above
DDRESS:
HONE NUMBER: 410 - 357 - 8020

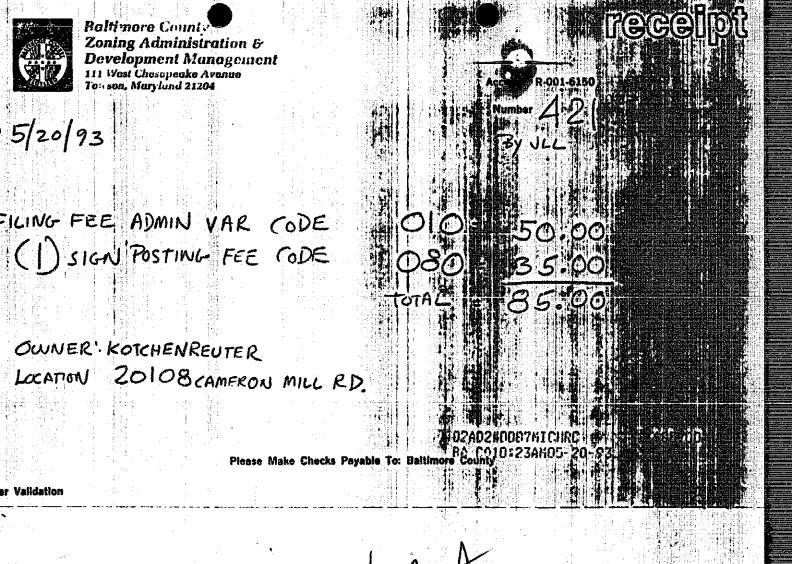
Printed on Recycled Paper

(Revised 04/09/93)

(1) SIGN POSTING FEE CODE

OWNER' KOTCHENREUTER

Timothy So Tchenreuter Location of property: 20108 Gemoron Mill Itd., 820 + SW/Bontly Haufeminkes. Location of Signs / solving pod way on property tob 1040 de FILING FEE ADMIN VAR CODE



(410) 887-3353

June 11, 1993

Mr. Timothy J. Kotchenreuter 20108 Cameron Mill Road Parkton, MD 21120

> RE: Case No. 93-407-A, Item No. 421 Petitioner: Timothy J. Kotchenreuter Petition for Administrative Variance

Dear Mr. Kotchenreuter:

111 West Chesapeake Avenue

Towson, MD 21204

Partiest on Rossolini Passa

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on May 20, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

O. James Lighthizer Secretary Hal Kassoff Administrator

5-26-93

HELENE KENRING Ms. Julio Winiarski Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Baltimore County Ilem No.: \* 421 (JLC)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

June 3, 1993

Mr. Arnold Jablon, Director Zoning Administration and Development Management

> J. Lawrence Pilson $\chi Z P$ Development Coordinator, DEPRM

SUBJECT: Zoning Item #421, Kotchenreuter Property 20108 Cameron Mill Road Zoning Advisory Committee Meeting of June 1, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

An inspection of the well and septic system will be required prior to building permit approval by a representative of Ground Water Management.

JLP:sp CAMERON/TXTSBP BARIMORE COUNTY, MARY ND

Q 5055-93 INTER-OFFICE CORRESPONDENCE

TO Zoning Advisory Committee Date\_\_\_May 27, 1993 Captain Jerry Pfeifer FROM\_ Fire Department

SUBJECT Comments for 06/08/93 Meeting

Building shall comply with applicable provisions of the 1991 Life Safety Code. Item 416 No Comments Item 417 No Comments Item 418 No Comments Item 419 No Comments Item 420 No Comments Item 421 No Comments Item 422 No Comments Item 423 No Comments

No Comments

JP/dmc

Item 424

CPS-008

Baltimore County Government Office of Zoning Administration and Development Management

May 27, 1993

(410) 887-3353

Timothy J. Kotchenreuter 20108 Cameron Mill Road Parkton, Maryland 21120

111 West Chesapeake Avenue

Towson, MD 21204

Re: CASE NUMBER: 93-407-A (Item, 421) 20108 Cameron Mill Road W/S Cameron Mill Road, 820'+- SW of Bently and Kaufman Roads 7th Election District - 3rd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before June 6, 1993. The closing date (June 21, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

· File Note · 421

Applicant is a County Employee. I advised he contact his Council Persons office and upon them that he is Julia for Joney variance and coshe that the resolution required by the Council



**County Council of Baltimore County** 

Court House, Towson, Maryland 21204 (410) 887-3196 Fax (410) 887-5791

Berchie L. Manley FIRST DISTRICT Melvin G. Mintz SECOND DISTRICT Charles A. Ruppersberger, III THIRD DISTRICT

Douglas B. Riley

FOURTH DISTRICT

Dear Mr. Schmidt:

June 23, 1993

Donald C. Mason SEVENTH DISTRICT Thomas J. Peddicord, J

Vince Gardina

FIFTH DISTRICT

William A. Howard, P.

Lawrence E. Schmidt Baltimore County Zoning Commissioner Court House Towson, Maryland 21204

Attached please find a copy of Resolution 47-93 concerning the public disclosure of Timothy J. Kotchenreuter, an employee of the Baltimore County Office of Central Services. Mr. Kotchenreuter has applied for a residential zoning variance to construct an addition to his home at 20108 Cameron Mill Road, Parkton, Maryland, 21120.

This Resolution was unanimously approved by the County Council at its June 21, 1993 meeting and is being forwarded to you for appropriate action.

Sincerely,

Legislative Counsel/Secretary

R4793/DAPTJP

cc: Timothy Kotchenreuter

COUNTY COUNCIL OF BALTIMORE COUNTY MARYLAND LEGISLATIVE SESSION 1993, LEGISLATIVE DAY NO. 13 RESOLUTION NO. 47-93

MR. C. A. DUTCH RUPPERSBERGER, III, COUNCILMAN

BY THE COUNTY COUNCIL, JUNE 21, 1993

A RESOLUTION concerning the public disclosure of Timothy J. Kotchenreuter, an employee of the Baltimore County Office of Central Services.

WHEREAS, Timothy J. Kotchenreuter, an employee of Baltimore County, has applied for a residential zoning variance to construct an addition to his home at 20108 Cameron Mill Road, Parkton, Maryland 21120; and

WHEREAS, this Resolution is intended to provide full disclosure under Section 26-3(e) of the Baltimore County Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the application for a zoning variance of Timothy II. Kotchenreuter does not contravene the public welfare and is hereby authorized.

KOTCHRTR/DRFT.BIL

